

Oscar Villanueva J-60178
Kern Valley State Prison
P.O. Box 5104-D-3-117
Delano, Ca. 93216

Date: March 24, 2011

To: U.S. Environmental Protection Agency

Re: Contaminated Water.

To Whom it may concern, I'm writing regarding the water that has Arsenic in it, which the levels are in violation of the United States Environmental Protection Agency standards. Prisoners are constitutionally entitled to environmental conditions that do not pose serious risks to health and safety. Among the conditions that have been found to violate the Eighth Amendment are: Lack of drinkable water. *Jackson v. Arizona*, 885 F.2d 639, 641 (9th Cir. 1989) (finding an allegation that water was polluted was not a frivolous claim).

"A serious medical need is present whenever the failure to treat a prisoner's condition could result in a significant injury or the unnecessary and wanton infliction of pain." *Clement v. Gomez*, 298 F.3d 898, 904 (9th Cir. 2002)

Per the United Nations Convention on Punishment and Prevention of the Crime of Genocide from 1948 there are five classifications of action that constitute genocide. (2). Those perpetrating genocide can, for example, create conditions that bring about the forcible dismemberment, destruction, or dispersal of the group, so that the group is ultimately dissolved.

There is an urgent medical condition, and a urgent medical condition is one for which significant injury or death will result if not treated. This Irreparable harm has Detrimental health symptoms that cause, skin damage, circulatory system problems, and high risk of getting cancer, in which half the population has Hepatitis "C" which this poison will enhance rapid growth of cancer in their liver.

And the propaganda that is being generated at the prison is that there shouldn't be a concern or a alarm of the poisonous Arsenic water, and that a filtering system will fix it, but the problem still exists, here due to the exposure of Arsenic which people are having skin damage, body weight loss, body aches, head aches, body twitches in their nerves already. Also its serious enough when family members come to visit their love ones there is a notice advising them not to drink the water, but its alright for the inmate population to drink the poisonous water, which is torture.

Relief Seeking:

For the population to receive bottled water as a alternate water supply, and for the population to be treated for the poisonous water that the population has been exposed to by drinking, and a (Audit) by your Office of E.P.A., F.B.I., CDC. to expose what is being imposed on the inmate population.

I Declare Under the Penalty of Perjury that the foregoing facts are True, and Correct.

Executed on this Date of March 24, 2011:

Signed by, Oscar Villanueva J-60178 :

Jan 23, 2009

Please attend the UNION rally on Feb 4, 9 am sharp, 450 Golden Gate Ave. in San Francisco, CA at the Federal courthouse and bring signs about the poison water at KVSP and other prisons. This is an important part of medical care and this is the time to show a crowd around these problems.

http://www.union1.com/feb4_rally_flyer_plata.html

Many of the prisons have poisons and other contaminants in the drinking water. This email addresses only KVSP because Michael Rothfeld of the Los Angeles Times wants to hear from families about the symptoms and illnesses of their loved ones. You can determine how much poison your loved one has consumed by getting samples of their hair and taking it to a toxicology lab. You should call ahead and get instructions and check the price for the test. The arsenic accumulates in the system over the years.

When a notice is given to normal people in the community with a warning of arsenic, the purpose is to give them a way to find an alternative water source, whether by reverse osmosis machines, bottled water or to move out of the area. When prisoners are given such a notice, it is simply torment, because they know now that they are being poisoned and that no clean water is available. This is torture.

Below is some of the research being done by Daniel Zuma Phd for our slide presentation. I would like you to verify with me what you think the first two items say before we put the data into a mini movie. This is a test for understandability and clarity so that everyone can see the scope of the problem.

I hope you are out doing your posts under the articles about Jerry Brown who is doing nothing to fix this water problem, nor is he prosecuting anyone participating in State Murder by Medical Neglect. If you don't post about his grandstanding by filing a lawsuit at your expense, then he might end up being your new governor. Is that what you want to see happen? I see a lot of posts at the San Francisco Chronicle and the Sacramento Bee about Brown's ridiculous claims of "plush treatment" that UNION members have made, but cover the other links in the last newsletter too!

The max level of arsenic allowed is 10 parts per billion. There is no safe level of arsenic, only tolerable levels.

Recent testing has shown the arsenic level in one prison at KVSP well at 23 parts per billion and the other at 15 parts per billion.

One well is 230% over the maximum level and the well is 150% over the limit of arsenic allowed. Note the area in red on the chart, which shows the risk factor at KVSP, based on 4800 prisoners, of getting cancer.

Rev. B. Cayenne Bird

The lifetime, 1-year, and 5-year risks of dying of cancer from arsenic in tap water, based on the National Academy of Sciences' 1999 risk estimates. And the odds of 1 person dying of cancer at KVSP due to exposing 4,800 men to various levels of arsenic for 1 year, 5-years and 10 years.

Arsenic Level in Tap Water
(in parts per billion, or ppb) Approximate Total Lifetime Cancer Risk
(assuming 2 liters consumed/day)

1-year

risk

5-year risk

How many at KVSP

in 1 year

How many at KVSP

in 5 years

How many at KVSP

in 10 years

10 ppb

1 in 500

1 in 350,000

1 in 70,000

1 in

73

1 in

14

1 in

7

20 ppb

1 in 250

1 in 175,000

1 in 35,000

1 in 36,46

1 in

7.3

1 in

3.6

25 ppb

1 in 200

1 in 140,000

1 in 28,000

1 in

29.2

1 in

5.8

1 in 2.92

Chart prepared by Daniel Zuma Phd for United for No Injustice, Oppression, or Neglect www.union1.com

There is more to consider here after reading this state report.

<http://www.latimes.com/media/acrobat/2008-12/44216602.pdf>

Apparently, this is the prison's second notice of violation, the first one being in March of 2008. Pursuant to that violation the prison is required to give everyone who drinks the water notice of the violation, AND WHAT THEY ARE DOING TO CORRECT IT (see the "approved notice" which is Attachment A).

They have until Feb 1, 2009 to submit a plan to "correct the existing water quality problem and eliminate the need to deliver water to the system that does not meet the primary drinking water standards." (I think they mean that does meet the standards.) And submit quarterly progress reports thereafter. They have until Jan 26th to submit a request for an extension if, due to circumstances beyond their control, they can't submit a plan by Feb 1st. If they don't comply they are subject to civil suit and fines.

The actual notice given by the warden:
<http://www.latimes.com/media/acrobat/2008-12/44152908.PDF>

Says the notice says that:

1) This is not an "emergency" so you need not drink bottled water.

2) Exposure to (these levels) of arsenic over "many years" increases health risks in "some people."

3) The Department of Health anticipates that the problem will be corrected by June 2009.

In other words, they anticipate that this problem is going to be fixed in a matter of months, even though the prison has not complied with a previous order. What is also left out of this risk assessment is the fact that prisoners have likely already been exposed to this toxin for "many years." It is unlikely that the exposure began on the date that it was discovered, since there is not enough variation in the groundwater to make it an on-again-off-again proposition. Moreover, there is no sign that the levels are increasing or decreasing; so they have likely been at those levels all along.

Since one can not identify who "some people" refers to, one has to assume that ALL are at risk. And not "may be" at risk, but ARE at risk, since measures of risk are probabilities applied to the whole population, not just "some people."

The purpose of the notification is so that those have skin, liver, bladder, or circulatory problems can alter their water consumption and mitigate their health risks.

However, this assumes that they know they have a medical condition, which is impossible to know under the current state of medical care, since the prisoners don't get annual physicals, any regular screening for cancer or anything else, or anything but the most basic first aid when they do present with symptoms of an illness.

It also assumes that even if such conditions were known, that the prisoner's doctor could order bottled water--which is emphatically not the case (and I have the rejected 602s to prove it).

SO, if Kern Valley State Prison fails to submit their remediation plan by Feb 1st--or the plan submitted does not correct the problem by June, 2009, the families of the prisoners should deluge the woman who issued the order

Tricie A. Wathen, P.E. Senior Sanitary Engineer Department of Public Health Southern California Branch Drinking Water Field Operations
265 W. Bullard Avenue, Suite 101 Fresno, CA 937804

with complaints as to the unacceptable risk, which is unacceptable BECAUSE:

- 1) The toxic exposure has likely already been going on for "many years";
- 2) those who are at particular risk of arsenic-related disease have no way of knowing who they are;
- 3) prisoners do not have the option of changing their drinking water or drinking habits;
- 4) prisoners consume abnormal amounts of water because they have no air-conditioning;
- 5) prison doctors don't have the authority to prescribe bottled water or transfers to other prisons with better water;
- 6) CDCr and Kern Valley State Prison have a history of noncompliance and delays even in the face of vigorous enforcement.

And DEMAND:

- 1) An order for the prison to supply each prisoner with 3 quarts of water per day until the water supply is brought into compliance; and
- 2) That civil proceedings be instituted forthwith, so as to ensure timely compliance.

These are the prisons where poisoned water is most well known and has been in the news. There are others. Thanks to scientist and researcher Daniel Zuma for condensing the information for the slide/presentation/mini movie that we are about to release. This documented contaminated water doesn't mean that other prisons aren't also forcing the inmates to drink poison water.

Prison	Pollutant
Salinas Valley State Prison - Soledad	nitrates
Correctional Training Facility - Soledad	nitrates
California Rehabilitation Center - Norco bacteria; H. Pylori	coliform
Sierra Conservation Center - Susanville	mud and silt
Mule Creek compounds	volatile organic
Deuel Vocational Institution - Tracy	bacteria;
California Institution for Men - Chino agricultural waste	nitrates &
CYA Youth Correctional Facility - Chino	nitrates
Avenal asbestos, fecal contamination	Alkalinity,
Old Folsom	toxic waste
Merced County Jail	arsenic
Kern Valley State Prison	arsenic

murder by medical neglect and the abuse of the mentally ill. The Plata decision is forever until 6500 people will organize and help with the work it takes to be able to have your own voice, change laws and put people into office. Only groups count, develop a group think for your own survival, it's now or never folks - you can do it, one person at a time.

Rev. B. Cayenne Bird



UNION

P.O. Box 340371

Sacramento, CA 95834

www.union1.com/join_the_UNION.html

..... Messages in this topic (1) Reply (via web post) |
Start a new topic Messages | Calendar visit our website at
<http://www.union1.com>-----

Ways you can help prisoners today-----

<http://www.union1.com/alerts.html> MARKETPLACE

From kitchen basics to easy recipes - join the Group from
Kraft Foods

Change settings via the Web (Yahoo! ID required) Change
settings via email: Switch delivery to Daily Digest | Switch
format to Traditional Visit Your Group | Yahoo! Groups Terms
of Use | Unsubscribe Recent Activity Visit Your Group Yahoo!
Groups Going Green Zone

Find Green groups.

Find Green resources.

Yahoo! Groups Everyday Wellness Zone

Check out featured

healthy living groups.

All-Brain
10 Day Challenge

Join the club and

feel the benefits.

This email was cleaned by emailStripper, available for free
from <http://www.papercut.biz/emailStripper.htm>

The public outcry determines how all policy set, how court decisions go, and will determine whether reverse osmosis machines and bottled water will ever be given to the prisoners. That means your posts and how many people you bring on Feb 4, your last day in this lifetime to be heard on

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.

Kern Valley State Prison Has Levels of Arsenic Above the Drinking Water Standard

Our water system recently violated a drinking water standard. Although this is not an emergency, you have a right to know what you should do, what happened, and what we are doing to correct this situation.

We routinely monitor for the presence of drinking water contaminants. Based on data gathered through monitoring our wells over the last four quarters, the running annual average for wells 1 and 2 is 0.015 mg/L and 0.019 mg/L respectively. This is above the USEPA standard or maximum contaminant level (MCL) of 0.010mg/L.

What should I do?

- You do not need to use an alternative water supply (e.g., bottled water).
- This is not an emergency. If it had been, you would have been notified immediately. However, some people who drink water containing arsenic in excess of the MCL over many years may experience skin damage or circulatory system problems, and may have an increased risk to getting cancer.
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

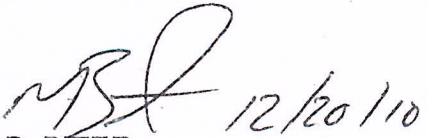
What happened? What is being done?

Kern Valley State Prison is working with Facilities Planning, Construction and Management to install an Arsenic Treatment System. We anticipate resolving the problem by October 2011.

For more information, please contact George Jaime at 661-721-6300 ext 6379.

This notice is being sent to you by California Department of Corrections and Rehabilitation, Kern Valley State Prison.

State Water System ID#: 1510802. Distributed by: January 1, 2011.


M.D. BITER
Warden (A)
Kern Valley State Prison

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

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Kern Valley State Prison Has Levels of Arsenic Above the Drinking Water Standard

Our water system recently violated a drinking water standard. Although this is not an emergency, you have a right to know what you should do, what happened, and what we are doing to correct this situation.

We routinely monitor for the presence of drinking water contaminants. Based on data gathered through monitoring our wells over the last four quarters, the running annual average for wells 1 and 2 is 0.013mg/L and 0.022mg/L respectively. This is above the USEPA standard or maximum contaminant level (MCL) of 0.010mg/L.

What should I do?

- You do not need to use an alternative water supply (e.g., bottled water).
- This is not an emergency. If it had been, you would have been notified immediately. However, some people who drink water containing arsenic in excess of the MCL over many years may experience skin damage or circulatory system problems, and may have an increased risk to getting cancer.
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

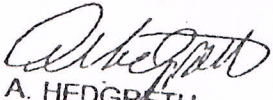
What happened? What is being done?

Kern Valley State Prison is working with Facilities Planning, Construction and Management to install an Arsenic Treatment System. We anticipate resolving the problem by June 2009.

For more information, please contact George Jaime, Correctional Plant Manager II, at [REDACTED]

This notice is being sent to you by the California Department of Corrections and Rehabilitation, Kern Valley State Prison.

[REDACTED] distributed: April 8, 2008


A. HEDGPETH
Warden
Kern Valley State Prison

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 01-11-2001 BY 60322 UCBAW

CONFIDENTIAL
3/3/41
Correspondence

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# Importing the data
import pandas as pd
import numpy as np
import matplotlib.pyplot as plt
import seaborn as sns
import warnings
warnings.filterwarnings('ignore')

# Loading the data
data = pd.read_csv('data.csv')

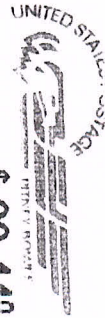
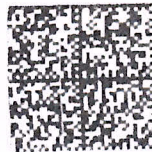
# Checking the data
data.head()
data.info()
data.describe()

# Data Cleaning
data.isnull().sum()
data.dropna(inplace=True)

# Data Analysis
data.groupby('Category').mean()
data.groupby('Category').std()
data.groupby('Category').count()

# Data Visualization
sns.pairplot(data)
sns.heatmap(data.corr())
plt.show()

```



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MAILED FROM ZIP CODE 93214



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

Oscar Villanueva, J-60178
Kern Valley State Prison
P.O. Box 5104-D-3-117
Delano, CA 93216

MAY 31 2011

OFFICE OF WATER

Dear Mr. Villanueva,

Thank you for your letter of March 24, 2011, to the Office of Water at the Environmental Protection Agency (EPA), in which you share your concerns about violations of the drinking water standard for arsenic at Kern Valley State Prison. The Office of Ground Water and Drinking Water is responsible for setting drinking water standards, so I have been asked to respond to your letter.

Safe drinking water is essential to public health. The Safe Drinking Water Act (SDWA) gives EPA the authority to set water quality regulations that help to ensure that drinking water is adequately treated, monitored, and managed. The drinking water standard for arsenic is 10 micrograms per liter (10 ppb). The standard is set to protect against chronic health effects due to long term exposure. You provide information indicating that the water supplied by Kern Valley State Prison has violated this standard. When a public water system violates a drinking water standard, the system must notify consumers and act to correct the problem.

Under SDWA, states have primary enforcement responsibility for implementing drinking water regulations and working with public water systems to see that they are applied appropriately. EPA regional offices provide oversight of state implementation and are familiar with state and local issues within their regional boundaries. Regional offices are therefore better equipped to address questions related to local situations, and I have forwarded your request to Region 9, which acts in California.

Enclosed, please find a fact sheet regarding arsenic in drinking water. You will be receiving a response to your specific request from Region 9's Drinking Water Office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Keara Moore", is written over a faint, larger signature.

Keara Moore
Special Assistant to the Director
Office of Ground Water and Drinking Water

JUST THE FACTS FOR CONSUMERS



ARSENIC IN YOUR DRINKING WATER

What is arsenic?

Arsenic is a toxic chemical element that is unevenly distributed in the Earth's crust in soil, rocks, and minerals.



How does arsenic get into my drinking water?

Arsenic occurs naturally in the environment and as a by-product of some agricultural and industrial activities. It can enter drinking water through the ground or as runoff into surface water sources.

How is arsenic in drinking water regulated?

In 1974, Congress passed the Safe Drinking Water Act. This law directs EPA to issue non-enforceable health goals and enforceable drinking water regulations for contaminants that may cause health problems. The goals, which reflect the level at which no adverse health effects are expected, are called maximum contaminant level goals (MCLGs). The MCLG for arsenic is 0 parts per billion (ppb).

The enforceable standard for arsenic is a maximum contaminant level (MCL). MCLs are set as close to the health goals as possible, considering cost, benefits, and the ability of public water systems to detect and remove contaminants using suitable treatment technologies.

Why should I be concerned about arsenic in my drinking water?

Although short-term exposures to high doses (about a thousand times higher than the drinking water standard) cause adverse effects in people, such exposures do not occur from public water supplies in the U.S. that comply with the arsenic MCL.

Some people who drink water containing arsenic in excess of EPA's standard over many years could experience skin damage or problems with their circulatory system, and may have an increased risk of getting cancer. Health effects might include:

- ◆ Thickening and discoloration of the skin, stomach pain, nausea, vomiting, diarrhea, and liver effects;
- ◆ Cardiovascular, pulmonary, immunological, neurological (e.g., numbness and partial paralysis), reproductive, and endocrine (e.g., diabetes) effects;
- ◆ Cancer of the bladder, lungs, skin, kidney, nasal passages, liver, and prostate.

What is EPA's standard for arsenic in drinking water?

To protect consumers served by public water systems from the health risks of long-term (chronic) arsenic exposure, EPA recently lowered the arsenic MCL from 50 ppb to 10 ppb.

JUST THE FACTS FOR CONSUMERS

What types of public water systems must comply with the standard?

The 10 ppb arsenic standard applies to all community water systems. The standard also applies to non-transient, non-community water systems.

How will I know if there is arsenic in my drinking water?

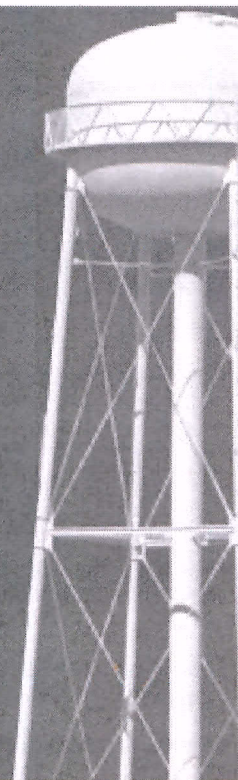
Every year, your community water system sends you a consumer confidence report (sometimes called a water quality report), listing any levels of arsenic detected. EPA also requires all community and non-transient, non-community water systems to give you public notice when their water supply violates the arsenic standard. You will be given information about what is being done to correct the situation.

What is a community water system?

A community water system is a system that serves 15 locations or 25 people year-round, including most cities and towns, apartment buildings, and mobile home parks with their own water supplies.

What is a non-transient, non-community water system?

Non-transient, non-community water systems serve at least 25 of the same people more than six months of the year, such as schools, churches, nursing homes, and factories.



How much is 10 ppb?

10 parts per billion (ppb) of arsenic in water means that there are 10 molecules of arsenic for every 999,999,990 molecules of water. That is roughly equivalent to a few drops of ink in an Olympic-sized swimming pool.



Should I have my water tested for arsenic?

If your water comes from a municipal or privately-owned water company that has more than 15 service connections or serves 25 people more than 6 months of a year, they are already testing for arsenic in your water.

If you have your own household water supply, you are responsible for maintaining and testing it. Contact your local health department to find out whether arsenic is a contaminant of concern in your area. Your state's drinking water agency can give you names of laboratories that are certified to test drinking water.

NSF International (www.nsf.org/certified/DWTU), the Water Quality Association (www.wqa.org), and the Underwriters Laboratories, Inc. (www.ul.com/water) web sites list certified home treatment units.

FOR MORE INFORMATION

Safe Drinking Water Hotline
1-800-426-4791

Arsenic in drinking water

<http://www.epa.gov/safewater/arsenic>

Arsenic health effects

<http://www.atsdr.cdc.gov/toxprofiles/phs2.html>

Your private well

<http://www.epa.gov/safewater/privatewells>

